

O'DESS and  
ASSOCIATES S.C.

ATTORNEYS AT LAW

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March 22, 2023

Via Electronic Service

James L. Miller, Esq.

RE: Montgomery, Adrian and Chauncey, Debtors  
Case No. 18-23813-BEH

Dear Counselor:

On January 10, 2020 an order was entered in the above-captioned matter allowing my client, U.S. Bank Trust National Association as trustee for Brackenridge Mortgage Trust, to renew its motion for relief from automatic stay with respect to the real property located at 4865 N. 78<sup>th</sup> Street, Milwaukee, WI 53218 ("Property") by letter request without the payment of an additional filing fee. Please be advised that since the aforementioned order, my client's records reflect that the Debtors are due for the February 1, 2023 through March 1, 2023, payments at \$919.36, each; less, suspense funds of (\$546.69), for a total of \$1,292.03. A copy of the order and payment history are attached.

**If you do not want the court to grant relief from the automatic stay, or if you want the court to consider your views on this renewed motion then within 14 days of the date indicated on this letter, you or your attorney must file with the court a written response explaining your position and requesting a hearing with the court. The failure to do so may result in the court granting the relief requested in the original motion, including termination of the automatic stay.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 22 day of March, 2023, she caused a copy of this renewed motion to be served by U.S. mail on debtors, Adrian Jordan Montgomery and Chauncey Syvoata Montgomery, at 4865 N. 78<sup>th</sup> Street, Milwaukee, WI 53218; and, on the same date by electronic means *via* CM/ECF on the debtors' counsel, James L. Miller; and, the standing trustee, Rebecca R. Garcia, and the office of the United States Trustee.

Very truly yours,

  
M. Abigail O'Dess

**O'Dess and Associates, S.C., is attempting to collect a debt and any information obtained will be used for that purpose.**

**If you have previously received a Chapter 7 Discharge in Bankruptcy, this correspondence should not be construed as an attempt to collect a debt.**

THE FOLLOWING ORDER  
IS APPROVED AND ENTERED  
AS THE ORDER OF THIS COURT:



DATED: January 10, 2020

A handwritten signature in black ink, appearing to read "Beth E. Hanan", is written over a horizontal line.

Beth E. Hanan  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF WISCONSIN

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IN RE

Adrian Jordan Montgomery dba Organized Ways,  
LLC and Chauncey Syvoata Montgomery

Chapter: 13

Case No. 18-23813-beh

Debtors.

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**ORDER PURSUANT TO HEARING UPON U.S. BANK NATIONAL ASSOCIATION, NOT IN  
ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES  
2016-CTT'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

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Pursuant to the motion for relief from the automatic stay of U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT, its successors and/or assignees (hereinafter "the movant") with respect to the property located at 4865 N 78th St, Milwaukee, WI 53218-3732, this matter was heard on December 10, 2019, the movant appearing through its counsel, Gray & Associates, L.L.P., by Jay Pitner, and the debtors appearing through Miller & Miller Law, LLC, by Kaleb Zelazoski, and Jennifer Marchinowski appearing on behalf of the Chapter 13 trustee and upon the arguments and statements of counsel and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the motion is denied subject to the following terms of this order.

IT IS FURTHER ORDERED that the movant may file a supplemental claim for the post-petition arrearage which exists through the end of December 2019 in the amount of \$5,510.97.

Drafted by:

Jay Pitner  
Gray & Associates, L.L.P.  
16345 West Glendale Drive  
New Berlin, WI 53151-2841  
Phone: (414) 224-8404  
Fax: (414) 224-1279  
Email: jpitner@gray-law.com



The arrearage is itemized as follows:

7/1/19 through 7/1/19	\$864.93
1 mortgage payments @ \$864.93	
8/1/19 through 12/1/19	4,433.25
5 mortgage payments @ \$886.65	
Credits / Suspense	(818.21)
Attorney Fees and Costs	<u>1,031.00</u>
TOTAL ARREARAGE	<u>\$5,510.97</u>

IT IS FURTHER ORDERED that commencing in January 2020 and continuing through and including June 2020, the debtors shall make all monthly mortgage payments to the movant in sufficient time to be received on or before the 16th day of each month in which each such payment is due. In the event any such payment is not received in a timely manner, the movant, its servicing agent or its counsel may submit an affidavit of default and proposed order for immediate relief from the automatic stay to the court for signature. This is a Doomsday Order under this court's Uniform Procedure for Doomsday Orders; it incorporates and is subject to the Uniform Procedure for Doomsday Orders.

IT IS FURTHER ORDERED that commencing in July 2020, the debtors shall make all monthly mortgage payments to the movant in sufficient time to be received on or before the 16th day of each month in which each such payment is due. In the event any such payment is not received in a timely manner, counsel for the movant may request by letter another hearing upon the motion for relief from the automatic stay.

IT IS FURTHER ORDERED that pending further notice, the amount of the monthly mortgage payment is \$886.65 and payments shall be made to the movant at Rushmore Loan Management Services LLC, P.O. Box 52708, Irvine, CA 92619-2708.

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Loan#  
Borrower: Montgomery  
Date Filled: 4/20/2018  
Pet Post Petition  
Due Date: 2/1/19 mod eff date  
AOC covers: na

PAYMENT CHANGES				
DATE	P&I	Escrow	TOTAL	
02/01/19	486.30	378.63	864.93	APOC
08/01/19	486.30	400.35	886.65	NOPC
06/01/20	486.30	412.45	898.75	NOPC
05/01/21	486.30	446.50	932.80	
05/01/22	486.30	433.06	919.36	

Date	Amount Recvd	Post Petition Due Date	Amount Due	Over/Shortage	Susp Credit	Susp Debit	Susp Balance	APO CREDIT	APO DEBIT	APO SUSPENSE BALANCE	APO PAID TO DATE
2/7/2019	\$848.00	suspense		\$848.00	\$848.00		\$0.00				\$0.00
3/7/2019	\$850.00	2/1/19	\$864.93	-\$14.93		\$14.93	\$848.00			\$0.00	\$0.00
4/18/2019	\$850.00	3/1/19	\$864.93	-\$14.93		\$14.93	\$833.07			\$0.00	\$0.00
5/17/2019	\$865.00	4/1/19	\$864.93	\$0.07	\$0.07		\$818.14			\$0.00	\$0.00
7/1/2019	\$864.93	5/1/19	\$864.93	\$0.00			\$818.21			\$0.00	\$0.00
7/31/2019	\$864.93	6/1/19	\$864.93	\$0.00			\$818.21			\$0.00	\$0.00
		APO entered for 7/19 iao \$864.93 + 8/19-12/19 iao \$886.65 ea. + \$1031 MFR fees/costs less suspense \$818.21. Total \$5510.97 to be put in Plan. Reg pmt commence 1/1/20									
1/14/2020	\$865.00	suspense		\$865.00	\$865.00	\$818.21	\$0.00			\$0.00	\$0.00
2/14/2020	\$886.65	1/1/20	\$886.65	\$0.00			\$865.00			\$0.00	\$0.00
3/16/2020	\$886.65	2/1/20	\$886.65	\$0.00			\$865.00			\$0.00	\$0.00
4/15/2020	\$886.65	3/1/20	\$886.65	\$0.00			\$865.00			\$0.00	\$0.00
5/15/2020	\$886.65	4/1/20	\$886.65	\$0.00			\$865.00			\$0.00	\$0.00
6/15/2020	\$886.65	NSF		\$886.65			\$865.00			\$0.00	\$0.00
6/23/2020	\$886.65	5/1/20	\$886.65	\$0.00			\$865.00			\$0.00	\$0.00
7/15/2020	\$886.65	6/1/20	\$898.75	-\$12.10		\$12.10	\$852.90			\$0.00	\$0.00
8/28/2020	\$898.75	7/1/20	\$898.75	\$0.00			\$852.90			\$0.00	\$0.00
9/30/2020	\$898.75	8/1/20	\$898.75	\$0.00			\$852.90			\$0.00	\$0.00
11/13/2020	\$898.75	9/1/20	\$898.75	\$0.00			\$852.90			\$0.00	\$0.00
12/14/2020	\$898.75	10/1/20	\$898.75	\$0.00			\$852.90			\$0.00	\$0.00
1/14/2021	\$898.75	11/1/20	\$898.75	\$0.00			\$852.90			\$0.00	\$0.00
2/16/2021	\$900.00	12/1/20	\$898.75	\$0.00			\$852.90			\$0.00	\$0.00
3/16/2021	\$900.00	1/1/21	\$898.75	\$1.25	\$1.25		\$854.15			\$0.00	\$0.00
4/15/2021	\$900.00	2/1/21	\$898.75	\$0.00			\$854.15			\$0.00	\$0.00
5/14/2021	\$932.80	3/1/21	\$898.75	\$34.05	\$34.05		\$888.20			\$0.00	\$0.00
6/17/2021	\$900.00	4/1/21	\$898.75	\$0.00			\$888.20			\$0.00	\$0.00
7/16/2021	\$932.80	5/1/21	\$932.80	\$0.00			\$888.20			\$0.00	\$0.00
8/13/2021	\$932.80	6/1/21	\$932.80	\$0.00			\$888.20			\$0.00	\$0.00
9/15/2021	\$932.80	7/1/21	\$932.80	\$0.00			\$888.20			\$0.00	\$0.00
10/21/2021	\$932.80	8/1/21	\$932.80	\$0.00			\$888.20			\$0.00	\$0.00
10/25/2021	\$78.55		\$932.80	\$78.55			\$888.20	\$78.55		\$78.55	\$78.55
11/19/2021	\$932.80	9/1/21	\$932.80	\$0.00			\$888.20			\$78.55	\$78.55

